

## Section 645JJ

Annotated Code of Maryland

(1987 Replacement Volume and 1991 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

## Article 27 – Crimes and Punishments

645JJ.

(A) THE SHERIFF OF CECIL COUNTY SHALL:

(1) ESTABLISH AND ADMINISTER A HOME DETENTION PROGRAM; AND

(2) ADOPT RULES AND REGULATIONS TO IMPLEMENT THE HOME DETENTION PROGRAM.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, AN INDIVIDUAL IS ELIGIBLE FOR THE HOME DETENTION PROGRAM IF:

(1) THE INDIVIDUAL IS PLACED IN THE HOME DETENTION PROGRAM BY THE SENTENCING JUDGE OR THE SHERIFF UNDER SUBSECTION (D) OF THIS SECTION; AND

(2) THE INDIVIDUAL HAS NO OTHER CHARGES PENDING IN ANY CITY, COUNTY, OR STATE.

(C) AN INDIVIDUAL IS NOT ELIGIBLE FOR THE HOME DETENTION PROGRAM IF THE INDIVIDUAL:

(1) IS SERVING A SENTENCE FOR A CRIME OF VIOLENCE AS DEFINED IN § 643B OF THIS ARTICLE; OR

(2) HAS BEEN FOUND GUILTY OF THE CRIME OF:

(I) CHILD ABUSE UNDER § 35A OF THIS ARTICLE; OR

(II) ESCAPE UNDER § 139 OF THIS ARTICLE.

(D) ~~(1) THE SENTENCING JUDGE OR THE SHERIFF~~ MAY PLACE AN INDIVIDUAL IN THE HOME DETENTION PROGRAM ESTABLISHED UNDER THIS SECTION AT TIME OF SENTENCING OR AT ANY TIME DURING THE INDIVIDUAL'S INCARCERATION.

(2) THE SHERIFF MAY PLACE AN INDIVIDUAL IN THE HOME DETENTION PROGRAM ESTABLISHED UNDER THIS SECTION÷

~~(1) AT ANY TIME AFTER THE DATE OF SENTENCING, IF THE INDIVIDUAL WAS SENTENCED TO A TERM OF LESS THAN 6 MONTHS; OR~~